

APPROVED

9-21-2011

**EASTPORT CITY COUNCIL  
SPECIAL CITY COUNCIL MEETING  
THURSDAY, SEPTEMBER 1<sup>ST</sup>, 2011  
7:00 P.M. - SHEAD HIGH SCHOOL**

**CALL TO ORDER**

The meeting was called to order at 7:00 p.m. by Council President, Robert Peacock. Those in attendance and present were: Councilor Paul Critchley, Councilor Mike Cummings, Councilor John Miller, Councilor Dave Morang, and Council President, Robert Peacock. Also in attendance was City Manager, Jon Southern, and City Clerk, Ella Kowal.

Council President welcomes everyone to this evening's *Special City Council meeting*.

Council President reminds the Council that they last met at a *Council Workshop* on Wednesday, August 17<sup>th</sup>, 2011 where it was run as an informational meeting with a bit more openness but that this evening's meeting will be held *with order* and he expects everyone to be respectful and civil.

In bringing order to this evening's meeting; the Council President asks that when you speak; you state your name, the town you are from, and your City of residence. He appreciates everyone's attendance and will allow the opportunity to speak so long as order is maintained throughout the meeting and everyone remains civil.

Decisions may be considered this evening and the City welcomes as much information that can be brought forth by the citizens and value their public input.

**1. DISCUSSION AND POSSIBLE ACTION ON THE FUTURE OF THE  
16 DEEP COVE ROAD FACILITY**

Council President advises that the Council received two letters by email and another from Hinkley Yacht which was forwarded to Council by Councilor Cummings. One email is from Captain Gerry Morrison with Perry Marine Construction; and the other one is from the Tom Ries with the Friends of the Boat School. Council President opens up the floor to Mr. Ries for the first opportunity to speak since his letter was received first. He chose to defer his situation to PMC and will go from there. Councilor Morang asks if they are withdrawing their letter and Mr. Ries responded by saying that they wish to hold on that for now. Council President opens the floor to Paul Kozell. Mr. Kozell introduces

himself and states that he is in attendance on behalf of Perry Marine Construction. Mr. Kozell recaps that they came before the Council at their informational meeting and brought forth a proposal and an offer to purchase the Deep Cove Road facility. They came away from the meeting with two tasks at hand. One was to meet with the Friends of the Boat School and the other was to address concerns with respect to public access. He reports that they have done both and are prepared to address both those matters in as positive way this evening. PMC has met with the Friends of the Boat School on several occasions. PMC is happy to announce that they have worked through their differences with the Friends of the Boat School and have reached an agreement to work together with respect to the property. What PMC proposes is that they purchase the entire facility for \$300,000. Upon conveyance of the property to PMC, they would then gift nine acres of the seventeen-acre parcel to the Friends of the Boat School to continue forward with the operation of a Boat School for the time being. He goes over a drawing of a map that reflects this portion of the property. He informs the Council of one material change that just came into effect today through negotiations. Basically, the change is reflective of the line moving forty feet to the West which ultimately increases the nine-acre parcel to 450 feet x 40 feet. The understanding that PMC has reached with the Friends of the Boat School is that they will be free to operate that land as a Boat School in accordance with their business plan. As for the use of the property, PMC will convey to them an easement which will allow full access to the pier and ramp to the water with the understanding it is utilized to the furtherance of the Boat School. Although the finer details of the easement are yet to be finalized; it will be their easement. If they were to subsequently convey that property, the movement of that easement would be subject to PMC's approval. With respect to public access, the oral agreement reached; and in meeting with Butch Harris and Paul Thompson; they have agreed to the purchase of the *MacNichols property* which is reflective of 700 feet of water frontage off of Broad Cove Road. PMC proposes to buy that property and assist the City in the development of public access on that property whereby PMC would convey a portion of the beach and the land and would also give the City with \$75,000 to help with the development of public access. Mr. Kozell then speaks relative to the transition period with respect to public access. The first year would be business as usual and then public access would be transitioned over to the *MacNichols property*. Mr. Kozell reviews the proposal in that the property would be purchased for \$300,000 and that a purchase and sale agreement would be executed by September 16<sup>th</sup> or as soon as possible. He then highlights of what PMC's intent is with respect to the property which is to build a 100 x 120 marine facility and refers to drawings. The building would be close to Broad Cove Road and near Dean Pike's property. This would be the major facility of the work that they are doing for ORPC. Future plans are to develop a marine railway off that property. On August 17<sup>th</sup> it was determined that there is a portion of the property that the City does not own and PMC is working with the surveyor, Andy Pottle. Part of their plans include the clearing and utilization of the *Duffy Lot* as a lay-down facility/yard. Mr. Kozell addresses a major change with the property with respect to the present access way from Broad Cove Road which runs West and is in line with the ramp and the pier. In order to give PMC the space that they need, they

would need to move the access road further South which would bring it in front of the boat school buildings. The concept of this proposal does two things. The first being it puts the property back on the tax roles (which they understand to be in the \$40,000 range); and secondly, it takes the financial burden off of the City. Ultimately, PMC's entire cost would be \$450,000 which is reflective of \$300,000 to acquire the property; \$75,000 to the City to help develop public access; the purchase of the MacNichols property; development costs such as surveys, permits, etc. Thus, PMC is looking to make a substantial investment in the property. The global concept of this proposition will put three solid businesses there (Dean Pike/PMC-ORPC/Boat School) which will cohabitate the land very well. From PMC's perspective, it will bring 8-10 new jobs to the area and another possible 6-7 jobs for the Friends of the Boat School.

Council President asks Tom Ries to join Paul Kozell up front. Council President addresses Kevin Raye in the audience with respect to a question of what he feels the Legislature's position would be with respect to such an arrangement that is being proposed given that an educational facility would still be there when the Legislature was very diligent in getting the bills passed so that the entity was in control of the City. Kevin Raye responds and reminds the Council that it was the Washington County delegation that approached the legislature with an appeal that it was critical to the facility and property and the City's future and that the City reserve the opportunity to make decisions locally rather than from a State level. It is Mr. Raye's belief that the Legislature would have no reservations. He also reminds the Council that it has been his goal to ensure that the boat school have the opportunity to survive. Mr. Raye reminds the Council of the positive impact and opportunities that this business venture could have *for* and *with* other businesses and the potential that could come from that.

### **1<sup>st</sup> Round of Questions & Answers**

Councilor Cummings addresses Kevin Raye with a concern about this being took quick of a decision as he would like to see if there are other opportunities with respect to this property. Although these are two fine proposals, he feels it is important to put it out on the market as it is a valuable piece of property. Councilor Cummings emphasizes that it was his understanding that we went to the legislature for assistance so that the City could sell the *property* not to sell the school nor the facility. He also feels strongly that we, as a City, owe this to the taxpayers of Eastport. Mr. Raye responds that this is a *Council decision*. Kevin Raye responds to say that he believes that the two proposals that are pending before the Council are extraordinary. Mr. Raye commends the two entities for coming together and working towards an agreement to bring forth these proposals. He reminds the Council of the fact that ORPC and the boat school are already in existence. He emphasizes again that it is a Council decision and that they represent the citizens of Eastport. Councilor Critchley shares that he is pleased with the compassion with which he sees within the City and by the attendance of this evening's meeting with respect to the future of the boat school. He feels the boat school should have this opportunity and

that it isn't always about how much money is involved but the longevity. Councilor Miller addresses Mr. Kozell with respect to the *MacNichol property* and the option to have it conveyed or a 99-year lease. Councilor Miller feels it to be in the best interest of the City that the land be conveyed to the City to accommodate the requirements of any grants applied. Mr. Kozell reminds Councilor Miller that it is only a portion of the property. Councilor Miller commends both sides for reaching a consensus. To have an offer on the table that allows the creation of new jobs and the continuation of the boat school; it is his feeling that the City Council would be doing an injustice to the citizens not to accept this offer. Councilor Morang addresses Mr. Kozell and makes reference to Item #6 of the proposal with respect to Husson University. He was asking for confirmation that once the property transferred ownership that the City would no longer be liable for anything. Mr. Ries confirmed that this was the case. He also made note that the Friends of the Boat School are rescinding their proposal as they have come together with PMC and have become part of their proposal. Councilor Morang also brings up the matter of the City receiving \$50,000 from Husson which calculates to \$4,500 monthly. Mr. Ries advises that the City would continue receiving so long as the City still has ownership of the property or up until they relinquish ownership. Upon transfer or sale of the property, the responsibility would now be the Friends of the Boat School and would no longer be the obligation of the City. Councilor Morang then asks a question with regard to the 99-year lease as referenced in the proposal about the property concerning the boat ramp. Councilor Morang asked of Mr. Kozell if they would deed it over to the City and he responded that they had no issues with that. Council President reflects that there would be a total of four entities on the property and those would be PMC, Friends of the Boat School, Westlawn Institute, and Husson University; in addition to Dean Pike and the Maine Sea Grant. He then addresses Dean Pike with a question as to whether he is in agreement with what is being proposed. Dean said he was so long as assurance be given to Moose Island Marine from PMC with respect to a 40-foot easement to the pier that would go with the property. In addition, he would like to still remain the right to maintain the travelift as he has recently invested \$12,000 into the pier. Council President asked Mr. Pike, if down the road, he were to sell his business; would that easement go with the business as part of the sale and he responded that it would need to go with it otherwise the business would be landlock. Council President then asked the Friends of the Boat School if they would have any issues with respect to an easement to be issued to Moose Island Marine. Mr. Ries responded and said that this matter would be taken care of when PMC works through the details of drawing up the maps and that the paperwork would need to reflect that Dean's easement comes first. Dean reminds the Council that they would also have to taken into consideration the City's clients with respect to their needs for boat slips and that the same footage (linear feet) now will be made available at the new access location. Councilor Miller reminds the Council that Gerry had spoke of this earlier. Council President then addresses Butch Harris and Paul Thompson. Butch Harris responded that he has communicated with Gerry and they have come to an agreement that he will always have access to the water to continue with his operations.

Dennis Mahar reminds the Council of rights with regard to access for the Community College. Senator Raye confirms that this was taken care of through the bills that were passed in Legislation. The City Manager responds further to say that the City agreed to alternate access for the Community College which would be the new location of public access.

### **Second Round of Questions & Answers**

Councilor Cummings questions Mr. Kozell as to whether or not this was the same proposal as the one they submitted for Staniels Road only with a building already in place for \$300,000. Mr. Kozell responds to Councilor Cummings by saying that this is where they would go *immediately* as far as their contract with ORPC. In 2012 they will have one of the tidal generator units and four in 2013. Once they expand beyond four, they will need that additional real estate. Mr. Kozell responds to a question that Councilor Cummings had at another given and time and that was....why the urgency? He responds to say that this is the result of design issues. When they came before the Council about the Staniels Road property, the plans were designed to be done for the units to hit the water in the Fall of 2011 and that timeline moved to the end of 2011 and is now scheduled for March of 2012. Councilor Cummings responds to Mr. Kozell in that it's not he doesn't feel they are not good business opportunities but that it only represents the two parties that are present and he would like more time. He does reflect that he has received word from a lady with Hinckley and he would still like to have them come look and see what they have to offer. Mr. Kozell reassures Councilor Cummings that PMC has in no way misrepresented information concerning the project and the urgency comes as a result of the design issues that affect the timeline. Tom Ries addresses the Council in that there is still an urgency as they have lost being able to bring in new students. Winter is coming and they still have matters to address as well. Council Cummings expresses that he would rather see this go out to vote at the election as he does not agree with the urgency to vote on this tonight because he does not feel it is reflective of the entire City only those in attendance. Council President asks what their present intent is with the Staniels Road property and Mr. Kozell responds that they are still going to need that facility and additional real estate - just not this first year. Councilor Cummings makes known his offer to approach the Port Authority for PMC to hold ownership. Councilor Critchley had no questions at this time. Councilor Miller asks if there would be potential for the creation or the availability of part-time jobs for boat school students versus the full-time jobs they already speak of. Gerry Morrison explains that there is a training program in place as well as an on-the-job training program that is in place with WCCC and confirms that these are paying jobs and they usually start out between \$11-12 an hour. Councilor Morang addresses Bob Lewis with ORPC and asks for his input. He provides a bit of history and explains that ORPC has been involved with the boat school through the City as a tenant since 2007. It is his belief that ORPC can be a facilitator or partner with whatever decision is rendered as they have had communications with both

the Friends of the Boat School as well as Perry Marine & Construction. He believes the proposal is a mutual understanding between the two entities. Council President addresses PMC relative to parking and the road access to the State park – “Shackford’s Head”. Council President also recaps with respect to the easements already referenced which are: the Friends of the Boat School, Moose Island Marine, and Butch Harris. Mr. Ries responds that there is an existing easement on the title with a 40-foot Right-of-Way that needs to be maintained. Council President asked Kevin Raye for whatever assistance may be needed with the Conservation department should it arise with respect to this matter. It was Mr. Raye’s feeling that although there are no specifics relative to where the access is to be; there would be no issues as long as a 40-foot access to the Right-of-Way is maintained.

### **Third Round of Questions & Answers**

Councilor Cummings feels that they are fine proposals but does not feel that they should be quick to make a decision at this time and that there may be other potential for proposals out there for consideration. He reminds the Council that the Finance Officer for Hinckley Yachts has expressed an interest to come and take a look and that we should allow her this opportunity. Council Critchley feels that those in attendance at the meeting speaks for itself. Council Miller feels it is a “win-win” opportunity. He feels the boat school is important to the community. Councilor Morang expresses that this business venture would continue to allow Moose Island Marine, the boat school, and Westlawn Institute to exist. Council President asks Ed Scott if he would like the opportunity to speak with respect to the proposals before the Council. His feeling was that it is a “win-win” situation for 16 Deep Cove Road. The City Manager, Jon Southern, addresses PMC and asks if they would be willing to assist the City in addition to the \$75,000 with the development of the boat ramp. Mr. Kozell responded that they certainly would work with the City and possibly provide support in the way of equipment and reminds the Council to be mindful of SHIP grants. As for engineering costs, those would be the City’s responsibilities. Mr. Kozell certainly agrees that the development of a new access would be in excess of \$75,000. Councilor Miller believes there would be a substantial match for the City in going for a SHIP grant.

***Council President opens up the floor for questions from the audience and asks that they be specific.***

**Paul Thompson** addresses the Council and states that he *is not* a citizen of Eastport but is *a taxpayer*. He informs the Council that they may want to consider contact the **RC&D** as they offer assistance to those that may have proposals before them for such a project – with the condition that the boat ramp ***is available*** to the commercial fisherman and the recreational fisherman as well.

**Earl Small** from Eastport addresses the Council and states that he is in support of the project and feels strongly that it is time to invest in the local people.

**Butch Harris** of Eatport spoke in support of the proposal.

**Billy Altvater** of Eastport asked for an explanation from the Council as to why the City wouldn't lease land to this entity and retain ownership of the property. He raises another question that if this property is so critical to this entity in its operation; why wouldn't the City just convey that parcel and keep the pier. He also lets the Council know that he has had first hand experience with the proposed new location and informs the Council that this spot is more exposed in terms of weather. He poses an idea to either sell that parcel or lease it. Mr. Kozell responds that leasing it from the City does not work for them and further explains the proposal is to own the land and is a decision of choice. An important factor in this decision too is the fact we must own the property in order to acquire financing.

Mr. Altvater asked why they needed the concrete ramp and pier. Gerry Morrison responded that it is due to the space it provides for the size of the units which range up to 110 feet long and 40 feet wide. He further responds that it will be used for different methods of launching and that it also allows all aspects of access to the water as needed given the size of the unit. Mr. Kozell explains that four of these units will be constructed simultaneously in 2013 and while this is happening there will be the maintenance of the one in the water.

**David Westphal** of the Chadbourne Bourne house in Eastport speaks relative to his understanding that the value of property is \$2,000,000. The Assessor clarifies that this is the assessed value. Mr. Westphal is in agreement with Councilor Cummings in that it is the Council's judiciary responsibility that they owe it to the taxpayers of Eastport to consider other opportunities. To make a quick decision to accept an offer of \$300,000 for a piece of property with an assessed value of \$2,000,000; does not appear to be a sensible business decision. The City Manager responds by saying that he had the property valued last year. He explains that the assessed value is not the marketable value. Two different entities surveyed the property and one came in at \$690,000 and the other at \$900,000. Keeping in mind that these figures reflect the entire property with the buildings; whereas, PMC's intent is to gift the buildings. He further responds to say that the true value of the property would need to be determined by the Tax Assessor, Property Assessor, and a Realtor. Another consideration given to this property is that it is a limited use facility.

**Mr. Westphal** then raises the question of whether or not the value of the property is accurate. The City Manager responds that the \$2.2 million would be on a facility in perfect condition and fully usable. The three buildings on the property need massive renovations which is beyond the resources of the City. He emphasizes that he is not commenting on the \$300,000 as to whether this is fair or not; he only points out that that the property is not worth \$2.2 million. Councilor Cummings addresses the Tax Assessor, Robert Scott. Mr. Scott explains that assessed value and appraised value are not one in

the same. He clarifies that the assessed value is what the land is worth based on the market value and past history. It also takes into consideration what it would cost to reconstruct new the buildings less depreciation which includes the piers, floats, ramp, and the buildings. Appraised value is what you get when you put it on the market and what it will bear right now. The Assessor explains that the values he works from are a year or two old because he is required to go by sales. *Appraised* is looking towards the future. If he were asked for the *Assessed* value he would determine this what it would cost new to reconstruct less depreciation and that figure would be right at \$2.2 million which includes the pier.

**Jon McNerney** of Eastport asked for clarification with respect to replacement value. He also asks why PMC wouldn't just make their purchase of \$300,000 on property they want to keep and the boat school bid on their property. **Tom Ries** responded to say that they were going to spend over \$100,000 to purchase their parcel of interest but that money was coming out of their operating budget and they wanted the City to gift it to them. By the calculations of the Friends of the Boat School they determined that it costs the City \$431 a day. For every day that this would sit on the market this would be money lost. This is the number that they came up with making out their business plan. They are also trying to help out the City. The Friends of the Boat School, in many ways, have helped with the maintenance of the facility without charge for labor. He states that the City has really benefited by the school being there. It is their intent to get the school off the books for the City and have the Friends of the Boat School take over the expense and to keep the school viable so that they can bring in students which will, in turn, help put the economic development back into the City.

**Brian Moore** who works out of the boat school and fishes out of Eatport addresses Councilor Cummings with a question about public access being available if Hinckley were there. Mr. Moore raised a concern with respect to the possibility of the property being purchased at a higher price and taking a chance that it would sit there until the value increased.

**Dean Pike** with Moose Island Marine of Eastport reminds everyone of the economic impact of the school being there for thirty three years. He also notes that Caryn gets inquiries daily about the school from those who are interested in becoming a student. A great deal of give and take has come from both sides for this to work.

**Sally Erickson** of Eastport speaks that she is delighted that both parties have come together to bring forth these proposals. It is her experience with real estate negotiations that there are offers back and forth and maybe the Council should consider sitting with Senator Raye, PMC, and the boat school to pursue other alternatives that would be beneficial to the City. **Councilor Cummings** spoke to say that he feels they need more time to make this decision.



**Mr. Kozell** reminds everyone that they did come to the table at the workshop on August 17<sup>th</sup> and came away with the suggestion to meet with the Friends of the Boat School and to also address concerns about the public access. Of which, both have been achieved and this is where they are today – with a proposal that is before the Council today. He also states that PMC, Elden Morrison, and Gerry Morrison know what they can do and what they can afford. They are willing to work with ORPC and the Friends of the Boat School and other entities affiliated with the boat school and this is what they are able to commit to. **Councilor Cummings** asks of Mr. Kozell how the availability of this property became known to PMC. **Mr. Kozell** responds that they became aware when they heard that the “Marlow” deal was not going forward.

**Jim Levendosky** of Eastport addressed the Council with regard to the lag time with respect to the ramp. His concern is that if the ramp is tied up for a significant amount of time and the fishermen couldn’t get their boats out of the water and the ramp is then monopolized; he would suggest that some type of dealings take place to incorporate a portable lift to accommodate the urgent needs of the fishermen in an emergency. He believes the access of the ramp belongs to the people but is managed by the City. To give this up when the new access would take a year to complete does not seem too sensible. **Councilor Morang** elaborates that this service is already available locally one known as Toppens and with use of the Pembroke boat landing or the breakwater this could be worked through.

**Meg McGarvey** of Eastport addresses the Council and informs that she is a founding member of the boat school. She acknowledges that this has been very tough, but shares that had not the Friends of the Boat School formed; it would still be in the hands of the community college. As the community steward for the school it is their hope to bring the student enrollment back. She further expresses her concern in relation to parking.

**Mr. Kozell** speaks briefly on appearance as they are a marine facility. He reassures that PMC, ORPC, and Gerry know how to be good neighbors and will do so. He touches on this because they will be working on complex projects in tight spaces. It will be a commercial site and it will be kept orderly and tidy but keeping in mind that equipment can tend to be large and cumbersome given the project at hand. When there is an event, notice will be sent so that neighbors are aware that activity will be taking place.

**Maureen Greer**, a resident of Louisiana but a taxpayer of Eastport, spoke with regard that she is for a “win-win” situations. However, she is not hearing anything concrete and is concerned about the City spending \$100,000 of taxpayers money whooping “Marlow”. The Council President and the City Manager both responded to say that money was not expended out on Mr. Marlow. She has done a great deal of research and she is looking at her tax dollars and where they are allocated. She is not saying that she is not supportive. She asked what devaluated the property from accepting \$800,000 from Mr. Marlow to accepting this \$350,000. She stated that she and her husband could raise the \$350,000

and give it to the City of Eastport. Councilor Cummings asked if they could come up with \$500,000. She is disappointed that everyone came into this meeting with knowing that a decision was already made when the taxpayers have not had any say so in it because of some inefficiencies with the taxpayers dollars. Council President addresses Mrs. Greer with questioning on where and how the \$100,000 was spent as he is unaware of this data and asks her where this information comes from. She states that she has called City Hall and has also spoken with people who have confirmed that this money has been spent. She states the numbers in the budget are not matching to what is actually being spent. Council President informs her that he one out of five Councilors that sign the warrants and that no monies were expended out on Mr. Marlow. **David Gholson** speaks up making reference that the City Manager spent time on "Marlow". Council President responds that not only did the City Manager delegate time with Mr. Marlow but that he did as well and he receives no pay. The City Manager addresses Mr. Gholson with a response that he works an 80-hour week. Council President responds adamantly to Mrs. Greer that no monies have been expended on Mr. Marlow. He also addresses some of her other accusations. She clarifies that these are not accusations but data from her research. Councilor Critchley addresses Mrs. Greer and shares with her that the City held a public hearing on the City's budget which consists of a \$3 million budget and there were maybe five people in attendance. He makes reference to the fact that the City strives for attendance of those meetings – which we rarely get, but this evening's meeting clearly shows the compassion of the City to come in support of the boat school.

**Jon McNerney** speaks relative to some calculations that he has submitted to the City Manager. Mr. McNerney gives a bit of information with respect to where this data comes from. He explains that, since September of 2007, money that has been spent on the boat school and can be accounted for through checks totaling \$514,000. These are attributed directly to boat school expenditures. Within that is a \$40,000 grant whereby the City received some money back on. Upon questioning this, it was determined that there has never been a line item in the budget for approval of expenditures for the boat school. As mentioned earlier, the monies being spent does not match up what was coming in. Economic Development monies were not being properly recorded as revenues to the City. If reference is made to the City Charter, revenues such as rent, sale, etc. are not available to the City expense they must go into an account and be publicly accounted for and voted on by the Council to place it into the general fund for expenditure none of which is being done. The population of the City was unaware that this was taking place. The true number is not known but is in excess of \$600,000. However, since 2007; we know there to be a half a million dollars expended out on the boat school. Council President explains that there was income to offset that but no where near the amount expended. The City Manager clarifies that although there are other expenses attributed to the boat school; those are not numbers that are missing as they can be found in the ledger. An example would be the City would plow at the boat school and if it required overtime this would be reflected as coming out of the Public Works budget when it should have really come out of the boat school budget. However, his predecessor was advised by the

auditor to keep it as a separate economic development activity and out of the budget. He advises that even our new auditor recommends we do the same and this is why we do not see the boat school in the budget. He does reassure that every penny can be account for. There are several tiers of checks and balances between the Council and the Budget Committee. The City Manager reaffirms that this information is public and can be acquired through City Hall from the Treasurer. He also offers and welcomes the opportunity for anyone to speak with the City's auditor.

**Doug Hoover** of Eastport addresses the Council and expresses that he is in agreement with Councilor Cummings and feels strongly that this decision should be brought before the residents and taxpayers of the City and voted on.

**Linda Godfrey** of Eastport addresses the Council and speaks in support of this proposal and recognizes the efforts of those coming together and what they are striving for. She also believes strongly in the judgment call of the Friends of the Boat School and that this is in the best interest of not only the school but the City as well. There is a great deal of trust among people who not only live here locally but have businesses and know what is at stake. She recognizes the consensus by these two entities coming together to bring forth this opportunity.

**David Gholson** is a taxpayer of Eastport and addresses the Council and speaks in agreement with Councilor Cummings but emphasizes he is in support of the boat school and would like to see more time with regard to this decision.

**Brian Moore** asks where were all these monetary offers when the school needed it.

**Councilor Morang** addresses Caryn Vinson, Brian Moore, and Ed Scott with the question of what would happen to their positions. They all responded that there wouldn't be any. Councilor Morang asks this question because it is difficult here in the winter months and to hold a job here is vital.

**Rhonda Voisine** makes it very clear that she lives in Eastport and is from away, but her heart is in Eastport and wants that understood.

Councilor Cummings recognizes Maureen Greer for her taking the initiative to speak without being influenced. However, he still feels that the City is not fully represented irregardless of where his fellow Councilors stand. He feels strongly that the citizens should be a part of this decision. He continues by thanking Mrs. Greer for speaking up. She responds to say that there is no right or wrong as it is a business decision.

**Brian Moore** speaks to fact that this is a public meeting, and those who are in attendance are the public and have chosen to come out.

**Meg McGarvey** speaks out that we are always talking about the youth or the lack of young people and makes reference to the fact that the boat school brings young people to us.

**Barbara Wilson** of Eastport addresses the Council and shares that she is going into to her fourth year here. Her question to the Council was how many offers in the last 10-15 years have there been to keep the boat school going? None known other than of recent from ORPC. She believes in possibilities and adventure and would like to see this happen. Put it to vote and move forward.

Councilor Miller makes reference to the value of the property and recognizes that the buildings need a great deal of work which is more than what the City has resources for. He continues by suggesting that the Council end further conversation and continue forward with a decision.

MOTION      MILLER                      SECOND      CRITCHLEY

To move forward and accept the proposal submitted by Perry Marine Construction for the purchase of the 16 Deep Cove Road facility in the amount of \$300,000 with the understanding that there will be a Purchase and Sale agreement authorized by the Council for the City Manager to execute with a deposit and to include (as outlined in said proposal) the conveyance of the specified portion of land to be gifted over to the Friends of the Boat School.

Council President asks for comments from the Council.

Councilor Cummings voices that he feels the Council is moving too rapidly to make a sound decision with respect to this property and would like to see this matter tabled and put out to vote at election time and is not in agreement to make a decision this evening. Councilor Cummings also asks Council President, Robert Peacock, if he will be abstaining from voting and he responded “no” – he *will be* voting as he has no conflict. Councilor Cummings made reference that he feels this is no different than the “Consea” property and feels that Council President should step down from the vote. Councilor Critchley spoke to say that there is no conflict of interest.

Council President asks for comments from the remaining Council.

Councilor Critchley asks for the role call.

Councilor Miller responds by saying that he has great respect for his fellow Council members and we are not here to agree all the time and we need to respect the outcome of the vote.

No comment from Councilor Morang.

Council President then calls for a role call.

PASSED     4-1 (CUMMINGS-NO)

**Meg McGarvey** reminds the Council that there were Petitions submitted at the workshop of August 17, 2011 with over 200 signatures in support of the boat school which is reflective of those who represent the City.

**2. EXECUTIVE SESSION**

**THERE WAS NONE**

**3. ADJOURN**

MOTION     CRITCHLEY     SECOND     MILLER  
To adjourn.

PASSED     5-0     TIME: 9:15 P.M.